

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Nicholas Elliott**

**Docket No. 2:19-CR-15-1BO**

**Petition for Action on Supervised Release**

COMES NOW Lakesha H. Wright, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nicholas Elliott, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(a)(2), was sentenced by the Honorable Terrence W. Boyle, United States District Judge, on January 16, 2020, to the custody of the Bureau of Prisons for a term of 36 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Nicholas Elliott was released from custody on February 4, 2022, at which time the term of supervised release commenced.

On April 20, 2022, a Petition for Action was submitted to the court recommending that the defendant's conditions of supervised release be modified to include participation in a cognitive behavioral program in order to enhance Elliott's eligibility for early termination of supervised release. The court concurred with the recommendation on April 21, 2022.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On March 6, 2024, Elliott submitted to an instant urine screen which tested positive for marijuana use. However, on March 10, 2024, the national laboratory determined that the urine screen was diluted. As such, the national laboratory did not confirm the defendant's marijuana use. Nonetheless, the defendant admitted to the probation officer that he began using marijuana in October of 2023 and that he last used the illegal substance on February 14, 2024. Elliott also provided a written statement acknowledging his illegal drug use. In response to the defendant's drug use admission, it is respectfully recommended that his conditions of supervised release be modified to include substance abuse treatment. Elliott signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

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I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Lakesha H. Wright  
Lakesha H. Wright  
Senior U.S. Probation Officer  
306 East Main Street, Room 306  
Elizabeth City, NC 27909-7909  
Phone: 252-335-5508  
Executed On: March 29, 2024

**ORDER OF THE COURT**

Considered and ordered this 29 day of March, 2024, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
United States District Judge